



State of Connecticut

HOUSE OF REPRESENTATIVES

STATE CAPITOL

HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE LILE R. GIBBONS
ONE HUNDRED FIFTIETH DISTRICT

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ASSISTANT REPUBLICAN LEADER

RANKING MEMBER
HUMAN SERVICES COMMITTEE

MEMBER
FINANCE, REVENUE AND BONDING COMMITTEE
TRANSPORTATION COMMITTEE

TESTIMONY

TO: Chairmen Coleman and Fox, Ranking Members Kissel and Hetherington,
Members of the Judiciary Committee

From: Representatives Lile Gibbons, Livvy Floren, Fred Camillo and State Senator
L. Scott Frantz

RE: SB 445 AAC Liability for the Recreational Use of Land

DATE: March 29, 2012

We are writing to oppose SB 445 because it erodes legislation (P.A. 11-211) passed last year that extended to municipalities the same recreational liability protection currently available to individuals, businesses, utilities and the state. The only exceptions to the liability protection in last year's bill were public basketball courts and swimming pools.

Unfortunately, passage of SB 445 will weaken the protection that many of our town officials asked for last year. The raised bill amends the definition of land protected from liability to include public beaches, boardwalks, designated spectator areas and structures and paved sidewalks open to the public for pedestrian use. What is left in a town or municipality that would be protected from liability? While undoubtedly there are cases where the municipality could be considered at fault for not properly maintaining a recreational facility, those incidents should be decided on an individual basis rather than through a law that removes all protection for the municipality.

Passage of last year's bill encouraged municipalities to keep beaches and recreational facilities open and to increase sidewalks and pathways within the public parks. Passage of this new bill will do the

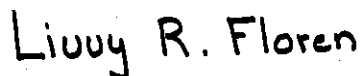
opposite, just at a time when we are trying to encourage outdoor recreation and the public is responding by more visits to our parks, beaches and playing spaces.

We urge you to reject this bill and to keep in place P.A. 11-211 which was widely debated, broadly supported and passed into law. Thank you.

Sincerely,



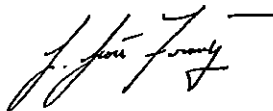
Lile Gibbons
State Representative



Livvy Floren
State Representative



Fred Camillo
State Representative



L. Scott Frantz
State Senator